**TOWN OF NEWMARKET, NEW HAMPSHIRE**

**TOWN COUNCIL REGULAR MEETING**

**OCTOBER 15, 2014 7:00 PM**

PRESENT: Council Chair Gary Levy, Council Vice Chair Dale Pike, Councilor Dan Wright, Councilor Phil Nazzaro, Councilor Toni Weinstein, Councilor John Bentley, Town Administrator Steve Fournier

EXCUSED: Councilor Ed Carmichael

ALSO PRESENT: Ms. Ree Cooper and children from Linked Together.

**AGENDA**

Chairman Levy called the meeting to order at 7:10 pm, followed by the Pledge of Allegiance. He thanked all present for their participation.

Councilor Bentley made a motion to leave the Non-Public session and Councilor Weinstein seconded. Town Administrator Fournier polled the council and the motion passed unanimously, 6-0.

Chairman Levy announced that Councilor Carmichael was excused due to job related issues. He opened the Public Forum and asked if anyone present wished to speak.

**PUBLIC FORUM**

Dennis Abbott, of the Newmarket Common Ground group, announced an upcoming event on November 8, 2014 at 9:00 pm at the high school. He thanked the children for being present and submitted an open invitation to all Councilors, as private citizens, to attend and take part in a facilitated discussion addressing the problems and issues currently facing the Newmarket School Board. He explained that the discussion would be attended by ten (10) facilitators from around the State to work with small groups in an effort to bring the Town together and avoid School Board controversy. He reassured the Council that the facilitators would not represent any particular position, or make any decisions, but will merely facilitate the open discussion. Mr. Abbott offered that the discussion would be an opportunity to ascertain the values of the Townspeople and openly discuss the future of the New Market School System. He added that the children present, as representatives of the community, all deserved the best possible education that could be provided by the Town of Newmarket. Mr. Abbott acknowledged advice received from UNH New Hampshire Listens in organizing the discussion, and added that registration for the event could be done online at the Newmarket Common Ground website.

As there was no further public comment, Chairman Levy closed the Public Forum at 7:14 pm.

**LINKED TOGETHER – PROCLAMATION – MAKE YOUR MARK WEEK, October 12-18, 2014**

Chairman Levy read the Linked Together Proclamation in full. He then proclaimed October 12-18, 2014 as National Make Your Mark Week in Newmarket, NH, and presented an official signed copy of the Proclamation to Ms. Ree Cooper and the children present. Councilor Weinstein addressed and thanked the children. Chairman Levy then thanked the children, from all the Council members and on behalf of the Town of Newmarket, for their participation and efforts in working together as a team and attending at the Town Council Meeting of October 1, 2014.

**PUBLIC HEARING - None**

**TOWN COUNCIL TO CONSIDER ACCEPTANCE OF MINUTES OF SEPTEMER 17, 2014 MINUTES:**

Councilor Bentley made a motion to accept the minutes of September 17, 2014, and Councilor Nazzaro seconded.

Councilor Weinstein asked for a correction to page 11 of the packet under **Appoint Two for March 2016**: the word "district" should be changed to "area" (relating to the dam). The same change should also be made under **Appoint two for March 2017**.

Town Administrator Fournier polled the council regarding acceptance of the minutes as amended. The motion passed 5-0, with Councilor Bentley abstaining due to absence.

**TOWN COUNCIL TO CONSIDER ACCEPTANCE OF OCTOBER 1, 2014 MINUTES**

Councilor Pike made a motion to accept the minutes of October 1, 2014, and Councilor Bentley seconded.

Town Administrator Fournier polled the council and the motion passed 5-0, with Councilor Bentley abstaining due to absence.

**REPORT OF THE TOWN ADMINSTRATOR**

Town Administrator Steve Fournier then commenced the reading of his report of October 15, 2014, which included: the proposed Fiscal Year 2016 Budget for the Town of Newmarket, an update on the Replacement of Vehicles, and updating the current Tax Maps.

Town Administrator Fournier first addressed the FY2016 Budget, which was public and available online. He stated that the first workshop with department heads was scheduled for October 25, 2015, beginning at 9:00 am or earlier if preferred. Chairman Levy requested the meeting commence at 8:30 am, which was agreed upon by the council members. Another meeting would be set for October 29th to finish discussions before the Town Council vote. Town Adminstrator Fournier reminded the council that the FY2016 Budget must be adopted by November 15, 2014.

Town Administrator Fournier then presented an update on research into the timing of the Replacement of Vehicles in other communities. He provided information on the number of years between replacements, having met with fellow City and Town managers. They reported that replacement was based on years of use rather than mileage, and that we were on target with the average of 11 years. Chairman Levy asked Town Administrator Fournier to address comparison of the size of these communities (in square miles) and the number of vehicles in use to that of Newmarket. Town Adminstrator Fournier stated that some communities still contract out all work. Councilor Bentley stated that there were too many variables and unknowns for a direct comparison, as some of the roads are serviced by the State. Chairman Levy reiterated the need for some context.

Town Adminstrator Fournier then addressed the needed of updating the Town Tax Maps, the last update being in 2008. As this item is often cut from the Budget, timely updates are not currently available. Town Adminstrator Fournier was working with the Strafford Regional Planning Commission on these updates, and recommended they be done annually by the Town. Councilor Nazzaro asked whether Tax Map updates were a legally accepted practice and required to be done annually by the State. Town Administrator Fournier replied that according to State regulations, the Town “must have accurate Tax Maps”, and that we were out of compliance due to current inaccuracies.

BUDGET DISCUSSION: Councilor Nazzaro then brought up the Police Department, specifically the Working Dog Foundation Grant. He voiced his concern over the availability of funds in the Police Department Budget for the cost of food for the year. Town Administrator Fournier replied that this was budgeted for FY2015 and would be up for review at that time. He pointed out the thousands in donations from Veterinary Services, which would be offered yearly and for longer terms as well.

Councilor Weinstein referenced the Public Works Budget, specifically $20,000 for vehicle maintenance, which was currently at $16,600 for the year. Town Administrator Fournier replied that the budget had been reduced significantly last year due to vehicle and equipment repairs. Chairman Levy questioned the significant rise in diesel fuel costs and brought up that overtime in the Department of Public Works had doubled since last year. He asked whether the DPW was compensated and Town Administrator Fournier replied that the Police were only paid for detail work for an entity not town related, and that internal billing is generated for the Town. The Town then has certain billing rates for retirement benefits and vehicle administrative costs. Town Administrator Fournier pointed out that the Sidewalk project was the work of the Town, and other companies assisted with grants work.

Chairman Levy next brought up that the Water budget was currently 52% expended. Town Administrator Fournier replied that a transfer would be made from a Capital Reserve Fund to offset expenses. Councilor Nazzaro suggested that expenses just be approved initially, but Town Administrator Fournier replied that this would require submission of each separate bill for approval to withdraw funds.

Chairman Levy then asked whether the revolving account for Recreation was on target. Town Administrator Fournier replied that it was and further explained that 54% of the budget was expended due to only one item, the Summer Recreation Program, and that there would be no more large items for the rest of the year. He pointed out that certain times of the year require larger outlays, for example cemetery maintenance around Memorial Day. Town Administrator Fournier stated that the goal of the Town was for expenses in the Recreation revolving account to be lower going forward.

**COMMITTEE REPORTS**

Councilor Pike reported on the Dam Advisory Study Committee, the first meeting of which was October 6, 2014. He stated that the committee was working on objectives and had discussed the August meeting with the DDS. Councilor Pike stated that Mr. Peter Wellenberger was elected as Chairman of the Committee and Dennis Abbott was elected as the Vice Chairman. Chairman Levy brought up the memorialization of a certain person who had switched departments, and Councilor Pike agreed. He replied that he would seek a meeting with the person currently in charge, and praised certain positions taken by the former as a very positive figure at all the Dam Meetings.

Councilor Weinstein reported on the Conservation Committee meeting of October 9, 2014. She stated that the committee was monitoring five (5) easements including Silverman Schneer. She also stated that a workshop put on by the UNH Cooperative Extension for municipal officials had put forward two (2) options, and that she would forward the information to the councilors. The first involved the posting of the Turtle Signs from May 1 – August 1 to avoid sign fatigue. The second option involved the excavation to occur on Bay Road and sewer cover replacement. Councilor Weinstein mentioned the possible use of self-monitoring sewer covers which have a gasket attached to alleviate flooding. These are currently in use in Portsmouth but not Newmarket. There was some discussion of whether or not the Turtle Signs could simply remain posted throughout the year.

Councilor Wright reported on the Planning Board Committee meeting of the previous evening. He stated that Shearwater Investment Corporation was continuing their development of Two Forks Road, and Newmarket Housing Authority presented information regarding the installation of a solar array at 34 Gordon Avenue. He added that Acadia Engineers was investigating some violations on 13 Water Street and would report to the Planning Board Committee at the next meeting. Councilor Wright stated that they had until November 18th to work out some of the violations and complete that project.

Councilor Pike asked Town Administrator Fournier to advise as to whether or not written minutes would be required for the Dam Committee meetings. Town Administrator Fournier replied that minutes must be taken at all meetings as a summary of what happened and the motions and votes taken. He said he would look into the matter.

Chairman Levy reported on the School/Town Joint Committee meeting citing that Randy Bell had provided a great deal of information to the public as well as the committee. He then presented a synopses of the agenda items at the meeting. Chairman Levy said that they had seen actual contracts of tuition deals and discussed enrollment projections and demographics. There was a debate over the size and growth of the community. Chairman Levy added that the project framework and timeline may need to be extended. He also reported that structural engineers had examined the Junior and Senior High Schools to assess the possibility of renovation. He stated that at the October 28, 2014 meeting they would begin looking into various building options. He had reached out to Epping and Dover for feedback and would apprise the Council at the next meeting.

**OLD BUSINESS**

Town Adminstrator Fournier brought up Harvest Way maintenance and the need for research as a large portion of the road is not in Newmarket. He added that a conflict of interest could develop as both of the communities had contracts with the same attorney.

**ORDINANCES AND RESOLUTIONS IN THE 3RD READING**

As there were no ordinances in the 2nd or 3rd reading presented and no items on the table, Chairman Levy proceeded to New Business.

**NEW BUSINESS/CORRESPONDENCE**

**Town Council to Consider Nominations, Appointments and Elections -** None

**ORDINANCES AND RESOLUTIONS IN THE 1ST READING – TA Requests to Suspend the Rules**

**Resolution #2014/2015-18 Authorizing the Town Administrator to Enter into a Contract with Connery Associates for Economic Development Committee**

Chairman Levy read Resolution #2014/2015-18 Authorizing the Town Administrator to Enter into a Contract with Connery Associates for Economic Development Committee in full.

Councilor Pike made a motion to suspend the rules only. Councilor Bentley seconded.

Town Administrator Fournier polled the council and the motion to suspend the rules was approved unanimously, 6-0.

Discussion: Town Administrator Fournier provided an overview of Resolution #2014/2015-18 stating that three (3) proposals had been received and it had been decided to secure the services of Connery Associates, at a cost not to exceed $15,000, to act as a consultant to assist with ideas regarding Continuous Care Facilities and Recreation. Connery Associates would also assist the Planning Board with development and update the master plan for the Town of Newmarket. Town Administrator Fournier stated he had asked to suspend the rules in an effort to get the project underway. Chairman Levy noted that Connery Associates planned to hold multiple meetings with the Council and that they were working with Green & Company, a large senior housing group in MA. Councilor Nazzaro questioned where the $15,000 in funds was to be found, and Town Administrator Fournier replied that the money would be found and transferred in. Chairman Levy reminded of the importance of having the information on hand before changing the zoning laws of the Town, and felt the investment worthwhile. Town Administrator Fournier stated that the Economic Development Committee has requested more information in order to make a good recommendation to the Planning Board.

Town Administrator Fournier polled the council and the motion was approved unanimously, 6-0.

**Correspondence/Closing Comments**

Chairman Levy asked if there was any correspondence or closing comments. Councilor Weinstein asked for the election-day schedule for the Town Councilors mentioned at the last meeting. Town Administrator Fournier stated that the presence of one or two councilors would be required at all times during the voting hours, and a majority would need to be present at the end of the day to count the ballots and certify the returns. Chairman Levy suggested sending an email to the councilors to request availability.

**ADJOURNMENT**

As there was no further business, Councilor Bentley made a motion to adjourn the meeting which was duly seconded. The motion was passed unanimously and the meeting adjourned at approximately 8:34 pm.

Respectfully submitted,

Patricia Denmark, Recording Secretary.